

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2011-007136  
FC 2010-000035

01/23/2012

COMMISSIONER EARTHA K. WASHINGTON

CLERK OF THE COURT  
W. Brown  
Deputy

IN RE THE MARRIAGE OF  
CURESA T JONES-LEMONS

CURESA T JONES-LEMONS  
2454 S 88TH LN  
TOLLESON AZ 85353

AND

EDWARD MIKE LEMONS

EDWARD MIKE LEMONS  
7777 W MCDOWELL RD APT 1041  
PHOENIX AZ 85035

MINUTE ENTRY

Courtroom 301, Central Court Building

9:06 a.m. This is the time set for Default Hearing regarding Petitioner's Amended Petition for Annulment: In the Alternative: Petition for Dissolution of Covenant Marriage – Without Children filed on January 13, 2012 . Petitioner, Curesa T. Jones-Lemons, is present on her own behalf. Respondent, Edward Mike Lemons, is neither present nor represented by counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Curesa T. Jones-Lemons is sworn and testifies.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2011-007136  
FC 2010-000035

01/23/2012

THE COURT NOTES that the Amended Petition for Annulment has not been served upon Respondent.

The Court cannot proceed with today's hearing until the Amended Petition has been served.

IT IS ORDERED vacating today's hearing.

Petitioner has stated that the Clerk's Office made an error in the filing of the original Petition on November 2, 2011.

If a clerical error has occurred,

IT IS ORDERED directing Petitioner to obtain a statement from the Clerk's Office attesting to the error and stating that service was correct on November 7, 2011.

Should Petitioner need additional advice as to how to proceed, Petitioner may contact one of the following sources or a legal advisor of her choosing:

(1) **Self Service Center**, 101 West Jefferson, East Courts Building, Phoenix, AZ. Automated telephone number: (602) 506-SELF. Website: [ecourt.maricopa.gov](http://ecourt.maricopa.gov). (Provides a variety of forms and instructions.) The parties may also obtain various forms from the Self-Service Center website at: [www.superiorcourt.maricopa.gov/ezcourtforms](http://www.superiorcourt.maricopa.gov/ezcourtforms).

The parties may purchase various forms in person at one of the Self-Service Centers located at:

1. 101 W. Jefferson, East Court Building, 1<sup>st</sup> Floor, Phoenix, AZ 85003
2. 222 E. Javelina Ave, Southeast Judicial District, Mesa, AZ 85210
3. 14264 W. Tierra Buena Lane, Northwest Regional Center, Surprise, AZ 85374
4. 18380 N. 40<sup>th</sup> Street, Northeast Regional Court Center, Phoenix, AZ 85032

(2) **Lawyer Referral Service**, 303 E. Palm Lane, Phoenix, AZ 85004 (Phone: (602) 257-4434). (Also available at: [www.maricopabar.org](http://www.maricopabar.org)) (This organization will refer you to a lawyer that meets your needs in your part of town. There is a \$35 charge for the first 30-minute conference. Any fees thereafter are set by the particular attorney.)

(3) **Community Legal Service**: 305 S. 2nd Ave. P.O. Box 21538, Phoenix, AZ 85036-1538 (Phone: (602) 258-3434). (Composed of Legal Aid Society and volunteer lawyers. The availability of service depends on your income level.)

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2011-007136  
FC 2010-000035

01/23/2012

(4) **Family Law Assistance Program:** (Phone: (602) 506-7948). Located on the 6<sup>th</sup> Floor of the Central Court Building, 201 W. Jefferson Street, Phoenix. (A program sponsored by the Volunteer Lawyers Program and Community Legal Service. The ½ hour consultation is free to eligible clients or \$35.00 fee for those who don't meet eligibility requirements.)

(5) **Modest Means Project:** (Phone (866) 637-5341). (A program sponsored by the State Bar of Arizona and the Arizona Foundation for Legal Services and Education, and other non-profits. The Arizona Modest Means Project provides low-cost legal assistance to people who cannot afford the expertise of attorneys' at the standard rates, but who cannot qualify for free legal services due to income qualification or other restrictions. The Project serves those whose income is less than or equal to 250% of the federal poverty guidelines.

THE COURT NOTES that the parties were previously married and that the parties' marriage was dissolved as evidenced by a Decree of Dissolution entered on March 12, 2010, in case number FC 2010-000035. A Child Support Order was entered on March 12, 2010, in said case number. The Child Support Order is still currently in effect.

THE COURT FURTHER NOTES that the parties were remarried on April 23, 2011. The Child Support Order entered on March 12, 2010, in case number FC 2010-000035 should have ended when the parties remarried.

LET THE RECORD REFLECT that all of the documents submitted to the Court for review are returned to Petitioner in open court.

9:12 a.m. Hearing concludes.

9:56 a.m. Petitioner has now reappeared before the Court.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

THE COURT NOTES that Petitioner has filed a Motion for the Court to accept the Amended Petition for Annulment on January 23, 2012.

Discussion is held regarding Petitioner's Motion.

The Court cannot accept the Amended Petition for Annulment for the reasons as previously stated on the record.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2011-007136  
FC 2010-000035

01/23/2012

Petitioner is required to provide a statement from the Clerk's Office indicating that a clerical error has occurred, which caused Petitioner to file an Amended Petition for Annulment. If Petitioner is unable to provide said statement, the Court is required to abide by the date in which the Amended Petition was filed on January 13, 2012.

Because Petitioner has filed an Amended Petition, Petitioner is required to serve the Amended Petition upon Respondent. Respondent has an opportunity to file a Response to the Amended Petition. If Respondent fails to file a Response, then Petitioner may seek to proceed by default.

IT IS ORDERED **denying** Petitioner's Motion.

9:59 a.m. Matter concludes.

**LATER:**

After the hearing concluded, the Court re-reviewed Petitioner's Motion filed on January 23, 2012.

Petitioner's Motion indicates that she sought for this Court to dismiss or deny the Amended Petition filed by her on January 13, 2012.

IT IS ORDERED **denying** said Motion.

The original Petition for Annulment: In the Alternative: Petition for Dissolution of Covenant Marriage – With Children as filed on November 2, 2011, is an incomplete document. Petitioner has not presented any facts to support her contention in that the missing pages are the result of a clerical error by the Clerk of Clerk.

Pursuant to Rule 34 (A) of the Arizona Rules of Family Law Procedure, this Court accepts the Amended Petition.

Respondent, based on the Petition, was not on notice of the relief pled to by Petitioner.

As stated above,

IT IS ORDERED that the Petitioner shall serve Respondent with the Amended Petition.

If Respondent fails to file a Response within 10 days, pursuant to Rule 34 (A) (3),

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2011-007136  
FC 2010-000035

01/23/2012

IT IS ORDERED that Petitioner may move to proceed by default pursuant to the Arizona Rules of Family Law Procedure.

IT IS FURTHER ORDERED stopping the Order of Assignment issued on March 19, 2010, in case number FC 2010-000035, effective on the date of the parties' remarriage on April 23, 2011. A separate minute entry will issue with this formal order.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.